

CITY OF LEWISTON
PLANNING BOARD MEETING MINUTES
for November 9, 2009– Page 1 of 3

I. ROLL CALL: This meeting was held in the City Council Chambers on the First Floor of City Hall, was called to order at 5:40 p.m., and was chaired by Chairperson, Lucy Bisson.

Members in Attendance: Lucy Bisson, Denis Fortier, Bruce Damon, Eric Potvin and Paul Robinson

Absent: Trinh Burpee and Roger Philippon

Associate Members Present: Michael Marcotte **Absent:** none

Staff Present: Gildace Arsenault, Director of Planning and Code Enforcement; David Hediger, City Planner; and Joline Boulay, Senior Principal Clerk of Planning & Code Enforcement, Lincoln Jeffers, Assistant to City Administrator

Michael Marcotte was a full voting member for the entire meeting.

II. ADJUSTMENTS TO THE AGENDA: None

III. CORRESPONDENCE: Memo from David Hediger dated November 5, 2009 and memo from Jan Patterson dated November 5, 2009.

Prior to commencing the public hearing, Lucy Bisson read excerpts of the Planning Board protocol with respect to the Board's decision making process.

IV. PUBLIC HEARING:

A. To consider a request from Platz Associates on behalf of the City of Lewiston for the construction of a four story parking garage and surface parking lot at 16-44 Lincoln Street and 65 Main Street. Two proposals have been submitted for the Planning Boards consideration. One proposal consists of 621 total parking spaces with 6,610 s.f. of retail space within the proposed parking garage. The second proposal consists of 641 total parking spaces with no retail space proposed.

David Hediger read his staff memorandum dated November 6, 2009.

Steve Meyers, Project representative of Platz Associates gave a brief overview of the proposed project. Steve stated that according to the Traffic Movement Permit road improvements are going to have to be made to Main Street.

Lucy Bisson questioned in the first phase of the project whether the exposed loading docks on Mill #5 would be removed. Steve stated the loading docks would be removed. Bruce commented that the proposed parking garage with retail space would deplete a row of parking spaces in the garage.

Mr. Rosaire Lafontaine, proprietor of Atlas Supply questioned why the garage could not be built on the Mill #5 site.

Lincoln Jeffers spoke to the need of a parking garage for future development in the area. Lincoln stated he has worked closely with Platz Associates and the current city council determining the best location of the proposed parking garage. Denis Therriault, councilor for Ward 4 was present stating that the contractual responsibility with Platz drove the council to make a decision on the location of the proposed parking garage in effort to have the least impact on proposed development and maximize future use of canals. Concerns being raised by the Board were also raised by the Council.

Paul Robinson questioned once Bates Mill #5 was demolished whether the area would be more attractive to retail space.

Harry Milliken, 6 Judith Street questioned whether the City could back out of contractual responsibilities and questioned what the outcome would be. Harry stated placing the parking garage in the proposed location could effect the selling or development of the Mill #5 property.

Bruce Damon felt that the City was solely responsible for providing parking and not retail space.

Eric Potvin questioned how long ago the ordinance for off street parking had been updated. David stated that the ordinance had likely last been updated in 1987. Eric believed the code requirements for parking were not being met.

There being no further discussion, the following motion was made.

MOTION: by **Denis Fortier** that the application meets all of the necessary criteria contained in the Zoning and Land Use Code and to grant approval to the City of Lewiston for the construction of 1) a four story parking garage, surface parking lot, and retail space at 16-44 Lincoln Street and 65 Main Street consisting 621 parking spaces, and 2) a four story parking garage and surface parking at 16-44 Lincoln Street and 65 Main Street consisting of 641 total parking spaces , subject to any concerns raised by the Planning Board or staff.

Second by **Paul Robinson**.

VOTE: 3-3 (Failed with Potvin, Damon, and Marcotte voting in opposition).

Staff suggested the Board consider separate motions for each proposal and that reasons as to the opposing votes should be provided.

Eric Potvin again note concerns with the amount of parking being provided, apparent excess capacity in exiting parking lots, and whether shared use of parking was being considered.

Bruce Damon note that adding retail would be in direct competition with the redevelopment of Bates Mill and had concerns with the city being a landlord.

Staff reminded the Board that a project is to be approved upon the development review criteria of the code being met.

Paul Robinson asked if the Council could go ahead and construct the retail portion.

David Hediger explained that only what the Board approves can legally be constructed. Gil

Arsenault explained that the City Council could appeal the Board's action to superior court.

MOTION: by **Bruce Damon** that the application meets all of the necessary criteria contained in the Zoning and Land Use Code and to grant approval to the City of Lewiston for the construction of a four story parking garage and surface parking at 16-44 Lincoln Street and 65 Main Street consisting of 641 total parking space , subject to any concerns raised by the Planning Board or staff.

Second by **Denis Fortier**.

VOTE: 4-2 (Passed).

MOTION: by **Denis Fortier** that the application meets all of the necessary criteria contained in the Zoning and Land Use Code and to grant approval to the City of Lewiston for the construction of a four story parking garage, surface parking lot, and retail space at 16-44 Lincoln Street and 65 Main Street consisting 621 parking spaces, subject to any concerns raised by the Planning Board or staff.

Second by **Paul Robinson**.

VOTE: 3-3 (Failed with Potvin, Damon, and Marcotte voting in opposition). Eric Potvin and Mike Marcotte noted the code's parking requirements as being the reason for their dissenting votes.

B. Consider a request from Taylor Engineering Associates on behalf of Main Source LLC for an 84 lot subdivision for single family homes at 222-228 Grove Street.

David Hediger read his memorandum dated November 6, 2009.

Norm Chamberland, representative for Taylor Engineering was present on behalf of the project. Norm gave a brief overview of the project.

Harry Milliken, 6 Judith Street stated that the cluster subdivision does not meet provisions in Article XIII, Section 7. Eleven lots don't meet the LDR provisions; lots should be 10,000 sf and 100' ft of frontage.

Michelle Toth, 61 Mark Street questioned how long the project would take to complete and stated that she lived in the last lot on Mark Street. Michelle was concerned about the clearing of vegetation and trees.

Diane Avery, 46 Mark Street was concerned about the speed limit and suggested speed tables. Diane questioned whether signs could be posted;(ie. speed limit signs, children at play.) Diane would like limit the number of houses per phase, would like to ensure that homes are occupied before Main Source begins next phase.

Harry Milliken expressed concern in regards to the water and sewer capacity, questioning whether the new development would impact the area.

Thomas Avery, 46 Mark Street stated he was concerned with the speed on Grove Street and who would be responsible for maintain vegetation to ensure visability pulling out of the new road would not be impacted .

No motions were made and a meeting is scheduled for November 23, 2009 for the board to make final approval to the proposed development.

There being no further discussion, the following motion was made.

V. OTHER BUSINESS:

A. Michael Marcotte stated the Denis Therriault and Elmer Berry would like to speak to the board in regards to the property located at 256 Bartlett Street (The Mosque).

Denis spoke about the concern he had with parking for the above referenced property. Denis questions whether parking will be adequate for use of the property as a mosque. Denis let the board know that he has worked hard to keep his businesses across the street in compliance. Denis question why staff did not bring property through review.

Elmer Berry, owner of abutting property stated he has had opportunity to speak with the occupants and did not have much cooperation. Elmer stated there is good possibility that he will be erecting a fence on his property. Denis and Elmer wanted to be insured that the property meets compliance with the Code.

Staff stated that we have been working with property owner to keep the property in compliance.

VI. MINUTES: *No minutes available for this meeting.*

VII. ADJOURNMENT: The following motion was made to adjourn.

MOTION: *by Denis that the Planning Board adjourn this meeting at 6:50 p.m. Second by Paul Robinson.*

VOTED: *6-0 (Passed).*

Respectfully submitted,



Denis Fortier, Planning Board Secretary

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